

AMENDED IN SENATE JUNE 29, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2872

Introduced by Assembly Member Thomson

February 25, 2002

An act to add Section 2104.5 to the Business and Professions Code, ~~relating to healing arts, and declaring the urgency thereof, to take effect immediately.~~ *relating to healing arts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2872, as amended, Thomson. Healing arts: physicians and surgeons.

Existing law, the Medical Practice Act, establishes requirements that a graduate of a medical school located outside of the United States or Canada is required to satisfy for licensure by the Medical Board of California as a physician and surgeon. These requirements include the successful completion of one academic year of a supervised clinical training program that is under the direction of an approved medical school.

This bill would make various findings by the Legislature, including that medical schools located within California no longer offer this clinical training program, described as the "Fifth Pathway Program." The bill would require the board, in consultation with these medical schools ~~and~~, the Office of Statewide Health Planning and Development, ~~to convene a working group~~ *and other designated persons* to study methods to reactivate the Fifth Pathway Program in medical schools located in this state. The bill would require the board to report its findings to the Legislature on or before July 1, ~~2002~~ 2003.

~~The bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) The Fifth Pathway Program allows a citizen of the United
4 States who attended medical school in a foreign country and
5 completed one academic year of supervised clinical training in an
6 approved medical school located in the United States and one year
7 of a residency program, to apply for licensure as a physician and
8 surgeon.

9 (2) The clinical training component of the Fifth Pathway
10 Program is not currently offered in medical schools located in
11 California.

12 (3) The Fifth Pathway Program is currently utilized
13 successfully in ~~other states~~ *New York*, and has been utilized
14 successfully in California in the past, to increase the number of
15 physicians and surgeons who have an understanding of foreign
16 cultures and a proficiency in a foreign language that they obtained
17 while attending medical school in a foreign country.

18 (4) California is currently experiencing a shortage of health
19 care providers with the cultural and linguistic competency to serve
20 the state's diverse population, which has contributed to a lack of
21 access to care in many immigrant communities.

22 (b) It is the intent of the Legislature to facilitate the
23 establishment of one or more Fifth Pathway Programs at approved
24 medical schools in California so that United States citizens who
25 have graduated from a medical school in a foreign country can
26 more easily obtain licensure in this state.

27 SEC. 2. Section 2104.5 is added to the Business and
28 Professions Code, to read:

29 2104.5. The board, in consultation with various medical
30 schools located in California ~~and~~, the Office of Statewide Health
31 Planning and Development, *and executive directors and medical*
32 *directors of nonprofit community health centers, hospital*
33 *administrators, and medical directors with experience hiring*

1 graduates of the Fifth Pathway Program or foreign medical school
2 graduates shall ~~convene a working group to~~ study methods to
3 reactivate the Fifth Pathway Program in medical schools located
4 in this state. *The executive directors and medical directors of*
5 *nonprofit community health centers, the hospital administrators,*
6 *and the medical directors should serve or work with underserved*
7 *populations or in facilities located in medically underserved*
8 *communities or in health professional shortage areas. The board*
9 *shall submit a report to the Legislature, including the Chairs of the*
10 *Assembly Health Committee and the Senate Business and*
11 *Professions Committee, Legislature on or before July 1, 2002*
12 *2003, that shall include options for the Legislature to consider in*
13 *order to facilitate the establishment of one or more Fifth Pathway*
14 *Programs in medical schools located in California. The study shall*
15 *focus on whether the Fifth Pathway Program can address the*
16 *needs of areas where a shortage of providers exists, communities*
17 *with a nonEnglish speaking population in need of medical*
18 *providers who speak their native language and understand their*
19 *culture, and whether it can provide greater provider stability in*
20 *these communities.*

21 ~~SEC. 3. This act is an urgency statute necessary for the~~
22 ~~immediate preservation of the public peace, health, or safety~~
23 ~~within the meaning of Article IV of the Constitution and shall go~~
24 ~~into immediate effect. The facts constituting the necessity are:~~

25 ~~There is a severe shortage of health care providers in California~~
26 ~~who are culturally and linguistically competent to serve the state's~~
27 ~~diverse population. Because this shortage presents a danger to the~~
28 ~~health of those citizens, it is necessary that this act go into~~
29 ~~immediate effect.~~